

## **REMARKS**

The claims have been amended to better define the invention and expedite prosecution of the application.

Claims 1-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher et al. (US 5,835,896) in view of Brett (US 6,704,713) in view of Atsmon et al. (US 6,607,136).

Claim 1-14 have been amended to recite that "credit points comprise attention points issued by a merchant for viewing an advertising of the merchant". In addition, the bids are "for an item to be auctioned by the merchant". Conversely, neither Fisher et al., Brett nor Atsmon et al., alone or in combination, disclose or suggest such features.

Fisher et al. discloses a system for conducting a multi-person auction, without using a human auctioneer to conduct the auction. The system allows a group of bidders to interactively place bids over a computer or communications network. Fisher et al. does not disclose or suggest using the claimed credit points for the auction, nor that the credit points include attention points issued by a merchant auctioning the item. Brett and Atsmon et al. fail to fill the gap.

Brett discloses an automated event ticket auctioning system for receiving and evaluating bid information received from remote terminals. The bid information records correspond to bids for one or more seats within a venue. Brett discloses using a registrant's credit card to reserve payment for the ticket, but does not disclose or suggest attention points issued by a merchant where the attention points can be used to bid on items auctioned by the merchant.

Likewise, Atsmon et al. does not disclose or suggest such attention points issued by the merchant auctioning the item. Rather Atsmon et al. discloses an interactive authentication system which allows a consumer to interact with a base station to receive coupons. Interaction between the base station and an electronic card is accomplished by using a convention sound system.

For at least these reasons, Applicants respectfully request that the rejection to claims 1-14 be withdrawn.

Claims 15-17 and 27-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher in view of Copple et al. (US 6,178,408) in view of Atsmon et al.

Claim 15-17 and 27-28 have been amended to recite that “credit points comprise attention points issued by a merchant for viewing an advertising of the merchant”. In addition, the bids are “for an item to be auctioned by the merchant”. Conversely, neither Fisher et al. nor Atsmon et al., as discussed above, nor Coople et al., alone or in combination, disclose or suggest such features.

As discussed above, neither Fisher et al. nor Atsmon et al., alone or in combination, disclose or suggest the claimed attention points issued by a merchant and the auctioning of an item by the merchant. Coople et al. fails to fill the gaps. Coople et al. discloses a method for redeeming collectible points using on-line bidding for promotional items. Promotional items are collected by consumer purchases of products associated with the points. Conversely, the claim recites awarding attention points for viewing an advertising of the merchant.

Therefore, for at least these reasons, Applicants respectfully request that the rejection to claims 15-17 and 27-28 be withdrawn.

Claims 19-22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Fisher in view of Walker et al. (US 6,113,496) in view of Atsmon et al.

Claim 19-22 have been amended to recite that “credit points comprise attention points issued by a merchant for viewing an advertising of the merchant”. In addition, the bids are for an item “to be auctioned by the merchant”. Conversely, neither Fisher et al. nor Atsmon et al., as discussed above, nor Walker et al., alone or in combination, disclose or suggest such features.

As discussed above, neither Fisher et al. nor Atsmon et al., alone or in combination, disclose or suggest the claimed attention points issued by a merchant and the auctioning of an item by the merchant. Walker et al. fails to fill the gaps. Walker et al. discloses an electronic gaming system that allows a player of an electronic gaming device, such as a slot machine or an arcade video game, to access premium entertainment services, such as premium web sites. Conversely, the claim recites awarding attention points for viewing an advertising of the merchant.

For at least these reasons, Applicants respectfully request that the rejection to claims 19-22 be withdrawn.

Claims 23-25, 29-33 and 35-36 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Copple et al. in view of Walker et al. (US 6,113,496) in view of Atsmon et al.

Claims 23-25, 29-33 and 35-36 have been amended to recite the features that "credit points comprise attention points issued by a merchant for viewing an advertising of the merchant" and the bids are for an item "to be auctioned by the merchant". As discussed above, neither Copple et al., Walker et al. nor Atsmon et al., alone or in combination, disclose or suggest at least these features. For at least these reasons, Applicants respectfully request that the rejection to claims 23-25, 29-33 and 35-36 be withdrawn.

Applicants submit that all of the pending claims are in condition for allowance and notice to this effect is respectfully requested. The Examiner is invited to call the undersigned if it would expedite the prosecution of this application.

Respectfully submitted,

  
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